



General Assembly

January Session, 2013

Amendment

LCO No. 5671

SB0085705671SD0

Offered by:

SEN. CRISCO, 17th Dist.

To: Senate Bill No. 857

File No. 340

Cal. No. 256

"AN ACT CONCERNING THE USE OF STEP THERAPY FOR AND OFF-LABEL PRESCRIBING OF PRESCRIPTION DRUGS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 38a-510 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2014*):

5 [(a)] No [health insurance policy issued on an individual basis,
6 whether issued by an] insurance company, [a] hospital service
7 corporation, [a] medical service corporation, [or a] health care center [,
8 which] or other entity that delivers, issues for delivery, renews,
9 amends or continues in this state an individual health insurance policy
10 that provides coverage for prescription drugs may require (1) any
11 person covered under such policy to obtain prescription drugs from a
12 mail order pharmacy as a condition of obtaining benefits for such
13 drugs, (2) any person covered under such policy to use a prescription
14 drug more than once if such drug has previously failed for such
15 person, or (3) the off-label use of a prescription drug for any person

16 covered under such policy unless such use is prescribed by such
 17 person's treating health care provider. Nothing in this section shall be
 18 construed to limit or prevent a health care provider from prescribing a
 19 drug for off-label use.

20 [(b) The provisions of this section shall apply to any such policy
 21 delivered, issued for delivery, renewed, amended or continued in this
 22 state on or after July 1, 2005.]

23 Sec. 2. Section 38a-544 of the general statutes is repealed and the
 24 following is substituted in lieu thereof (*Effective January 1, 2014*):

25 [(a)] No [medical benefits contract on a group basis, whether issued
 26 by an] insurance company, [a] hospital service corporation, [a] medical
 27 service corporation, [or a] health care center [, which] or other entity
 28 that delivers, issues for delivery, renews, amends or continues in this
 29 state a group health insurance policy that provides coverage for
 30 prescription drugs may require (1) any person covered under such
 31 contract to obtain prescription drugs from a mail order pharmacy as a
 32 condition of obtaining benefits for such drugs, (2) any person covered
 33 under such policy to use a prescription drug more than once if such
 34 drug has previously failed for such person, or (3) the off-label use of a
 35 prescription drug for any person covered under such policy unless
 36 such use is prescribed by such person's treating health care provider.
 37 Nothing in this section shall be construed to limit or prevent a health
 38 care provider from prescribing a drug for off-label use.

39 [(b) The provisions of this section shall apply to any such medical
 40 benefits contract delivered, issued for delivery or renewed in this state
 41 on or after July 1, 1989.]"

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2014</i>	38a-510
Sec. 2	<i>January 1, 2014</i>	38a-544